

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CIRON B. SPRINGFIELD,

Plaintiff,

v.

D. AXLEX, et al.,

Defendants.

No. 2:21-cv-0336 KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights complaint under 42 U.S.C. § 1983. This action proceeds on plaintiff's complaint raising First and Eighth Amendment violations by defendants Valencia, Barrow, and Cannizzaro at California Medical Facility, and defendants Axlex, Hobbs, Cook, Laughlin, Azuari, Peters and Cassesi at Mule Creek State Prison. (ECF No. 1.) During the December 7, 2021 settlement conference, this case did not settle. Therefore, the stay is lifted, and defendants are directed to file a responsive pleading.


Earlier, on March 18, 2021, the court ordered the United States Marshal to serve the complaint on defendants. Process directed to defendant L. Cannizzaro was returned unserved because CDCR cannot locate or identify the named defendant. Therefore, plaintiff must provide additional information to serve this defendant. Plaintiff shall promptly seek such information through discovery, the California Public Records Act, Calif. Gov't. Code § 6250, et seq., or other means available to plaintiff. If access to the required information is denied or unreasonably

1 delayed, plaintiff may seek judicial intervention. Plaintiff is cautioned that failure to promptly
2 and diligently seek the identity of such defendant may result in a recommendation that such
3 defendant be dismissed. See Fed. R. Civ. P. 4(m).

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The stay of this action (ECF No. 29) is lifted;
- 6 2. Within thirty days from the date of this order, defendants shall file a responsive
7 pleading;
- 8 3. The Clerk of the Court is directed to send to plaintiff one USM-285 form, along with
9 an instruction sheet and a copy of the complaint filed February 22, 2021;
- 10 4. Within sixty days from the date of this order, plaintiff shall complete and submit the
11 attached Notice of Submission of Documents to the court, with the following document:
12 one completed USM-285 form for defendant L. Cannizzaro, or show good cause why he cannot
13 provide such information.

14 Dated: December 13, 2021

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16 KENDALL J. NEWMAN
17 UNITED STATES MAGISTRATE JUDGE

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NOTICE OF SUBMISSION OF
DOCUMENTS

Plaintiff hereby submits the following documents in compliance with the court's order
filed December ____, 2021.

____ completed USM-285 form

DATED:

Plaintiff